

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

*All Cases Noted on Attached Appendix A*

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**SECOND STIPULATION AND [PROPOSED] ORDER  
DISMISSING WITH PREJUDICE CLAIMS  
PURSUANT TO CVS TRIBAL SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Tribal Plaintiffs identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendant CVS Pharmacy, Inc. (collectively and together with the Released Entities, the “CVS Defendants”<sup>1</sup>) that, pursuant to the election of each Dismissing Plaintiff to participate in the CVS Tribal Settlement Agreement dated December 22, 2022, which is binding on the Dismissing Plaintiffs and the CVS Defendants (a copy of which is attached as Appendix B), all Claims of each Dismissing Plaintiff against any CVS Defendant are hereby voluntarily DISMISSED WITH PREJUDICE, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the CVS Tribal Settlement Agreement to the extent provided under that Agreement.

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<sup>1</sup> The Released Entities are each and every entity that is a “Released Entity” as set forth in Section VI.A of the CVS Tribal Settlement Agreement, dated as of December 22, 2022, and Exhibit F thereto. A copy of the CVS Tribal Settlement Agreement is attached as Appendix B.

Dated: July 11, 2023

Agreed as to form and substance:

**TRIBAL LEADERSHIP COMMITTEE**

/s/ Lloyd Miller

Lloyd Miller / Don Simon / Whitney Leonard  
Sonosky, Chambers, Sachse, Miller & Monkman, LLP

/s/ Geoffrey Strommer

Geoffrey Strommer / Caroline Mayhew /  
Edmund Goodman  
Hobbs, Straus, Dean & Walker, LLP

/s/ Tim Purdon

Tara Sutton / Tim Purdon  
Robins Kaplan LLP

/s/ Lynn Sarko

Lynn Sarko  
Keller Rohrbach, L.L.P.

/s/ T. Roe Frazer

T. Roe Frazer  
Frazer PLC

/s/ Peter Mougey

Peter Mougey  
Levin Papantonio Rafferty

/s/ Elizabeth J. Cabraser

Elizabeth J. Cabraser / Dan Drachler / Eric B. Fastiff  
Lieff Cabraser Heimann & Bernstein LLP

/s/ Steve Skikos

Steve Skikos  
Skikos, Crawford, Skikos & Joseph LLP

**CVS PHARMACY, INC.**

/s/ Eric R. Delinsky  
Eric R. Delinsky  
Alexandra W. Miller  
Paul B. Hynes, Jr.  
Zuckerman Spaeder LLP

**SO ORDERED:**

Dated: \_\_\_\_\_

\_\_\_\_\_  
HON. DAN AARON POLSTER